

# EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

PRESTON WOOD & ASSOCIATES, LLC,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 4:16-cv-01427
	§	
RZ ENTERPRISES USA, INC. D/B/A	§	
OPPIDAN HOMES, OPPIDAN HOMES	§	Jury Trial Demanded
VIII LTD., CAMERON ARCHITECTS,	§	
INC., and UL, INC. D/B/A URBAN	§	
LIVING,	§	
	§	
Defendants.	§	

**DECLARATION OF PRESTON WOOD IN  
SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT**

I, Preston Wood, pursuant to 28 U.S.C. § 1746, state and declare:

My name is Preston Wood. I am one of the owners of Preston Wood & Associates, LLC ("PWA"), plaintiff in the above-styled lawsuit. I am at least eighteen years of age and am fully competent to make the following declaration. All facts stated herein are true and correct and are within my personal knowledge:

1. PWA is the owner of all copyrights in the architectural works and associated technical drawings of the works listed in Plaintiff's First Amended Complaint (Docket #39) in this case:

Buckingham Job 98-044-1937

Ashford Job 00-258-2262

D5-214

D8057-2

E0042

E0175-A1.1-V5

E2246-A3.1

E2066 A2.1

00-071-2265A

D6050 Lot 1057

E1171-B1.1L

2. Attached as Exhibits 3-13 to PWA's Motion for Partial Summary Judgment are true and correct copies to this declaration are true and correct copies of the Certificates of Registration issued by the United States Copyright Office for each of those architectural works and technical drawings, as well as drawings of such works that were deposited with the Copyright Office
3. In my capacity with a predecessor to PWA known as Jack Preston Wood: Architekton, I and other Jack Preston Wood: Architekton employees, acting within the scope of our employment with Jack Preston Wood: Architekton, created the works known as the Buckingham Job 98-044-1937. This architectural work and associated technical drawings were created independently and without copying any other architectural works. As detailed in the assignments attached as Exhibits A and B to this Declaration, PWA has been assigned the copyrights in these works, and remains the sole owner of the copyrights in them.
4. In my capacity with a predecessor to PWA known as Jack Preston Wood: Design, Inc., I and other Jack Preston Wood: Design, Inc. employees, acting within the scope of our employment with Jack Preston Wood: Design, Inc., created the works known as the Ashford Job 00-258-2262 and 00-071-2265A. These architectural works and associated technical drawings were created independently and without copying any other architectural works (except, as referenced in the certificates, to the extent that Ashford Job 00-258-2262 was derivative of Buckingham Job 98-044-1937). As detailed in the assignments attached as Exhibits A and B to this Declaration, PWA has been assigned the copyrights in these works, and remains the sole owner of the copyrights in them.
5. In my capacity with PWA, I and other PWA employees, acting within the scope of our employment with of PWA, created each of the remaining architectural works and technical drawings. These architectural works and associated technical drawings were created independently and without copying any other architectural works (except, as referenced in the certificates, to the extent that some of these works were derivative of other works in which PWA owned the copyrights). PWA at all times has been the owner of all copyrights in these architectural works and has not assigned or transferred those copyrights to anyone.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 1, 2018.



Preston Wood

# EXHIBIT A

## DECLARATION OF P. WOOD

Comments: This File Produced Natively

## MEMORANDUM OF ASSIGNMENT

This Memorandum of Assignment is between Architekton, Inc., Jack Preston Wood and Samantha Wood, individually, Jack Preston Wood and Sammie Wood d/b/a Jack Preston Wood: Architekton ("Jack Preston Wood: Architekton"), and Jack Preston Wood: Design, Inc.

WHEREAS Jack Preston Wood incorporated Architekton, Inc. in 1987, and operated his building design business through that company until May 12, 1995; and

WHEREAS during this period of time, Jack Preston Wood, in the course and scope of his employment with Architekton, Inc., created numerous architectural works, including without limitation those architectural works known as 95-022-3398 and 94-264-4077; and

WHEREAS on May 10, 1995, Jack Preston Wood and Samantha Wood formed Jack Preston Wood: Architekton, a Texas general partnership, and

WHEREAS on May 12, 1995, Jack Preston Wood: Architekton purchased all of the assets and operations of Architekton, Inc., including all of Architekton, Inc.'s copyrights (including without limitation the copyrights in those architectural works known as 95-022-3398 and 94-264-4077) and the causes of action for infringement of those copyrights; and

WHEREAS between May 12, 1995 and May 25, 1999, Jack Preston Wood operated his building design business through Jack Preston Wood: Architekton; and

WHEREAS effective May 25, 1999, Jack Preston Wood and Samantha Wood incorporated Jack Preston Wood: Design, Inc., a Texas corporation; and

WHEREAS on or about May 25, 1999, Jack Preston Wood: Architekton transferred all of its assets and operations to Jack Preston Wood: Design, Inc., including all copyrights acquired from Architekton, Inc. (including without limitation the copyrights in those architectural works known as 95-022-3398 and 94-264-4077, and all the causes of action for infringement of those copyrights); and

WHEREAS the parties wish to document the transfer of these copyrights pursuant to and consonant with 17 U.S.C. § 204(a) into Jack Preston Wood: Design, Inc., and to memorialize and confirm that Jack Preston Wood: Design, Inc. is and at all times since 1999 has been the sole owner of these copyrights (including without limitation the copyrights in those architectural works known as 95-022-3398 and 94-264-4077) and all causes of action for infringement of those copyrights;

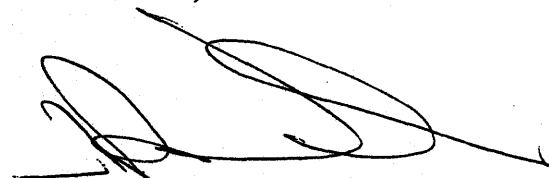
NOW THEREFORE the parties agree, acknowledge, memorialize, and stipulate to the following:

1. On May 12, 1995, Architekton, Inc. transferred all of its right, title, and interest in all its copyrights (including without limitation the copyrights in those architectural works known as 95-022-3398 and 94-264-4077) and all claims for infringement of those copyrights to Jack Preston Wood: Architekton.

2. Effective May 25, 1999, Jack Preston Wood: Architekton transferred all of its right, title, and interest in all its copyrights (including without limitation the copyrights in those architectural works known as 95-022-3398 and 94-264-4077) and all claims for infringement of those copyrights to Jack Preston Wood: Design, Inc.
3. To the extent that Jack Preston Wood or Samantha Wood have, individually, ever owned any of the copyright in those architectural works known as 95-022-3398 and 94-264-4077, or any of the claims for infringement of those copyrights, it was their intent that such interests be transferred to Jack Preston Wood: Design, Inc. as of May 25, 1999.
4. Since May 25, 1999, Jack Preston Wood: Design, Inc. has been the sole owner of all copyrights previously owned by Architekton, Inc. and/or Jack Preston Wood: Architekton, including without limitation the copyrights in those architectural works known as 95-022-3398 and 94-264-4077) and all claims for infringement of those copyrights.

EXECUTED this the 21<sup>st</sup> day of April 2004, but effective as of the dates recited above.

ARCHITEKTON, INC.

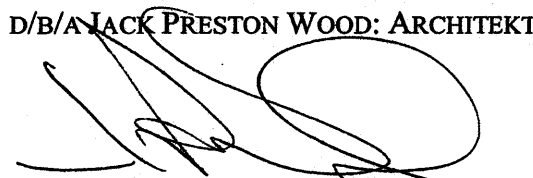


By: Jack Preston Wood  
Its: President  
Date: April 21, 2004

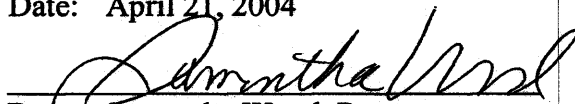


JACK PRESTON WOOD, Individually  
Date: April 21, 2004

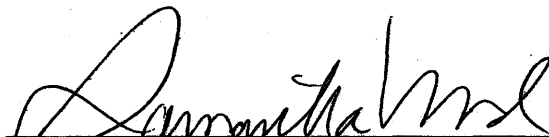
JACK PRESTON WOOD AND SAMMIE WOOD  
D/B/A JACK PRESTON WOOD: ARCHITEKTON



By: Jack Preston Wood, Partner  
Date: April 21, 2004

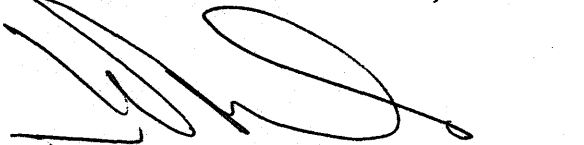


By: Samantha Wood, Partner  
Date: April 21, 2004



SAMANTHA WOOD, Individually  
Date: April 21, 2004

JACK PRESTON WOOD: DESIGN, INC.



By: Jack Preston Wood  
Its: President  
Date: April 21, 2004

# EXHIBIT B

## DECLARATION OF P. WOOD



Comments: This File Produced Natively

### CONFIRMATION OF ASSIGNMENT

This Confirmation of Assignment is between Jack Preston Wood: Design, Inc. ("JPWD") and Preston Wood & Associates, L.L.C. ("PWA").

WHEREAS JPWD was incorporated in 1999;

WHEREAS JPWD was the owner of numerous copyrights and associated causes of action, including copyrights for works created by JPWD employees and principals, and copyrights and associated causes of actions that were assigned to JPWD by Architekton, Inc., Jack Preston Wood and Samantha Wood, individually, and Jack Preston Wood and Sammie Wood d/b/a Jack Preston Wood: Architekton; and

WHEREAS PWA was incorporated in 2003; and

WHEREAS JPWD subsequently agreed to and did transfer all copyrights and associated causes of action that JPWD owned to PWA; and

WHEREAS JPWD and PWA believe that one or more documents formally assigning such copyrights and causes of actions were executed, but PWA is presently unable to locate copies of them;

NOW THEREFORE the parties confirm, agree, acknowledge, memorialize, and stipulate to the following:

1. JPWD has previously assigned to PWA all of its right, title, and interest in all copyrights (including copyrights in architectural works and technical drawings) and all claims for infringement of those copyrights to Jack Preston Wood: Design, Inc.
2. At all times since at least 2005, PWA has been the owner of all right, title, and interest in all copyrights (including copyrights in architectural works and technical drawings) and all claims for infringement of those copyrights that were previously owned by JPWD, including copyrights and associated causes of action assigned to JPWD by Architekton, Inc., Jack Preston Wood and Samantha Wood, individually, and Jack Preston Wood and Sammie Wood d/b/a Jack Preston Wood: Architekton.

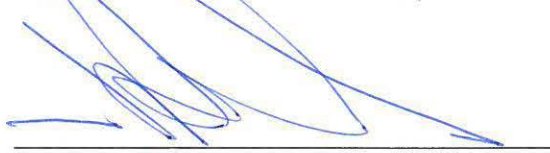
EXECUTED this the 17<sup>th</sup> day of May 2016.

JACK PRESTON WOOD: DESIGN, INC.



By: Jack Preston Wood  
Its: President  
Date: May 17, 2016

PRESTON WOOD & ASSOCIATES, L.L.C.



By: Jack Preston Wood  
Its: Managing Member  
Date: May 17, 2016